HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JUDRISDICTION
Dated Nainital the June 27th , 2006
Criminal Misc. Bail Application No. 551 of 2006
Order on the bail application of accused.

CRIMINAL SIDE

1. Smt. Phool Daee W/o Sri Kalam Singh
2. Kalam Singh S/o Sr Bhag Dev
   Both are R/o village Khalashi
   Patwari Chetra Baldogi
   Tehsil Chinyali
   Dsitrict Uttarkashi ..... Applicant

Versus

State of Uttaranchal ..... Opposite Party

Arising out of case crime No. 2 of 2006
Under Sections 304-B IPC
Patwarni Chauki Baldogi
Tehsil Chinyalisaud
Dsitrict Uttarkashi

Hon'ble J.C.S. Rawat, J.

Heard Sri Vinod Sharma learned counsel for the applicants and learned AGA for the State.

Perused the record. The case dairy is available with the learned A.G.A. it is alleged in the FIR that on 23.05.2006 it is revealed to the reporter that her daughter has been killed by the applicants and her body was dept in the vehicle on the road. It was contended that there is no averment in the FIR with regard to the demand of dowry. It was further contended that it is not alleged in the FIR that soon before the death the victim was subjected to cruelty or harassment by her husband and his relatives. It was further contended that the mother and father of the deceased made a statement before the I.O. after five days i.e. 27.05.2006 that when victim came to her parental house on 21.05.2006 she stated to her parents that her in-laws and her husband were demanding dowry and she was subjected that cruelty. It was further contended that the story is an afterthought and the applicants are entitled to be enlarged on bail. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond each and two sureties each in the like amount to e satisfaction of the Magistrate concerned.

(J.C.S. Rawat, J.)

Dated 27.06.2006
Shiv